

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

TODD AUPPERLEE, et al,

Case No. 1:13-cv-01080-RJJ

Plaintiffs,

v.

Hon. Robert J. Jonker

**CITY OF BATTLE CREEK,
MICHIGAN,**

Defendant.

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R. Sean Deskins (KY 92430)
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AMENDED STIPULATION AND ORDER OF DISMISSAL

It is hereby stipulated between the parties that the Settlement, Release, and Waiver Agreement (“Agreement”) between Plaintiffs and Defendant, filed as Exhibit 1 (Dkt. No. 39-2) to the Brief in Support of Joint Motion for Approval of Settlement Agreement and Entry of Stipulated Order of Dismissal (Dkt. No. 39-1) shall be approved and Plaintiffs’ claims shall be dismissed, with prejudice, pursuant to the Agreement entered into between the parties, and

without costs except as provided in the Agreement, with an effective date contemporaneous with this Court's approval of said Agreement.

Respectfully submitted,

OLDFATHER LAW FIRM
Attorneys for Plaintiffs

Dated: November 7, 2014

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IT IS SO ORDERED. THE SETTLEMENT, RELEASE, AND WAIVER AGREEMENT BETWEEN PLAINTIFFS AND DEFENDANT, FILED AS EXHIBIT 1 (DKT. NO. 39-2) TO THE BRIEF IN SUPPORT OF JOINT MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT AND ENTRY OF STIPULATED ORDER OF DISMISSAL (DKT. NO. 39-1) IS APPROVED. PLAINTIFFS' CLAIMS ARE HEREBY DISMISSED WITH PREJUDICE AND WITHOUT COSTS EXCEPT AS PROVIDED IN THE PARTIES' SETTLEMENT, WAIVER, AND RELEASE AGREEMENT.

Dated: _____, 2014

Honorable Robert J. Jonker
U.S. District Court Judge